

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DUNKEL *et al.*

Appl. No.: *To be Assigned* (U.S. Nat'l  
Phase of Int'l Appl. No.  
PCT/EP2005/000629)

Int'l Filing Date: January 22, 2005

For: **2-HALOFURYL/THIENYL-3  
-CARBOXAMIDES**

Art Unit: *To be Assigned*

Examiner: *To be Assigned*

Atty. Docket: 2400.0660000/SRL

**Information Disclosure Statement Under 37 C.F.R. § 1.97(b)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP4** and **NPL1** to **NPL8** are submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents **FP1**, **FP2**, and **FP3** cited on Form PTO/SB/08A:

Document **FP1**, WO 02/08197 A1, is in the German language. An English language abstract of document FP1 is attached as document **NPL6**.

Document **FP2**, WO 03/010149 A1, is in the German language. An English language abstract of document FP2 is attached as document **NPL7**.

Document **FP3**, WO 2004/005242 A1, is in the German language. An English language abstract of document FP3 is attached as document **NPL8**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

10/588293

IAP11 Rec'd PCT/PTO 04 AUG 2006

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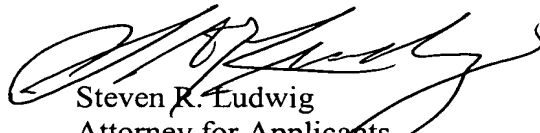
DUNKEL *et al.*  
Appl. No. *To be Assigned*

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Steven R. Ludwig  
Attorney for Applicants  
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Date:

8/4/06

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Atty. Dkt. No. 2400.0660000/SRL

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	<i>To be Assigned</i>
				Filing Date	<i>Herewith</i>
				First Named Inventor	Ralf DUNKEL
				Art Unit	<i>To be Assigned</i>
				Examiner Name	<i>To be Assigned</i>
				Sheet	1

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	FP1	WO 02/08197 A1	01/31/2002	Bayer Aktiengesellschaft		Abs
	FP2	WO 03/010149 A1	02/06/2003	Bayer Aktiengesellschaft		Abs
	FP3	WO 2004/005242 A1	01/15/2004	Bayer CropScience AG		Abs
	FP4	WO 2005/004606 A2	01/20/2005	Bayer CropScience AG		

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Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				Application Number	To be Assigned
				Filing Date	Herewith
				First Named Inventor	Ralf DUNKEL
				Art Unit	To be Assigned
				Examiner Name	To be Assigned
Sheet	1	of	1	Attorney Docket Number	2400.0660000/SRL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Patent Abstracts of Japan, English language abstract of Japanese Publication No. 01-313402, published December 18, 1989	
	NPL2	Patent Abstracts of Japan, English language abstract of Japanese Publication No. 02-040374, published February 9, 1990	
	NPL3	Patent Abstracts of Japan, English language abstract of Japanese Publication No. 02-178259, published July 11, 1990	
	NPL4	Patent Abstracts of Japan, English language abstract of Japanese Publication No. 08-176112, published July 9, 1996	
	NPL5	Patent Abstracts of Japan, English language abstract of Japanese Publication No. 2001-0302605, published October 31, 2001	
	NPL6	Dialog File 351, Accession No. 12361222, WPI English language abstract of WO 2002/08197 (listed on accompanying PTO/SB/08A as Document FP1)	
	NPL7	Dialog File 351, Accession No. 13194256, WPI English language abstract of WO 2003/010149 (listed on accompanying PTO/SB/08A as Document FP2)	
	NPL8	Dialog File 351, Accession No. 13989121, WPI English language abstract of WO 2004/005242 (listed on accompanying PTO/SB/08A as Document FP3)	

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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